



COMMONWEALTH of VIRGINIA
Office of the Attorney General

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April 20, 2018

The Honorable David K. Paylor, Director
Virginia Department of Environmental Quality
629 East Main Street
Richmond, Virginia 23219

Re: Authority to Promulgate Amendments to the State Water Control Board Regulations
9 VAC 25-31
9 VAC 25-32
9 VAC 25-210
9 VAC 25-590
9 VAC 25-610
9 VAC 25-790, and
9 VAC 25-870

Dear Director Paylor:

I have reviewed the amendments to the above-referenced regulations. It is my opinion that the State Water Control Board has the authority to promulgate the amendments to the regulations under Chapter 3.1 of Title 62.1 of the Code of Virginia. It is also my view that these amendments are exempt from the requirements of Article 2 of the Administrative Process Act pursuant to Va. Code § 2.2-4006(A)(3) and (A)(4)(c).

If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "David C. Grandis".

David C. Grandis
Assistant Attorney General